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S.M.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,481	12/03/1999	JAMES P ALLISON	A-68668/RFT	3796
7590	03/11/2004		EXAMINER	
FLEHR HOHBACH TEST ALBRITTON & HERBERT SUITE 3400 FOUR EMBARCADERO CENTER SAN FRANCISCO, CA 94111			RAWLINGS, STEPHEN L	
			ART UNIT	PAPER NUMBER
			1642	

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

20040305

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Notice of Non-Compliant Amendment

The amendment filed on December 8, 2003 is considered non-compliant because it failed to meet the requirements of 37 CFR § 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment must be resubmitted (in its entirety), e.g., the entire “Amendments to the claims” section of applicant’s amendment must be resubmitted.** 37 CFR § 1.121(h).

The amendment is non-compliant because the “Claims” section of the amendment fails to show each and every change made relative to the immediate prior version. For example, claim 21, as currently amended, recites, “wherein said CTLA-4 blocking agent comprises an antibody or a fragment thereof” in lines 8 and 9; however, the immediate prior version of the claim does not recite this limitation. Applicant is reminded the amendment filed June 5, 2003 was not entered for the reason set forth in the Office action mailed August 6, 2003. Accordingly, the present version of the claims pending in this application is the version set forth in the amendment filed May 28, 2002. In replying to this Office communication, Applicant should amend the claims using the current amendment practice, such that the amendment shows the changes made relative to the version of the claims set forth in the amendment filed May 28, 2002.

For further explanation of the amendment format required by 37 CFR § 1.121, see MPEP § 714 and the USPTO website at

<http://www.uspto.gov/web/offices/pac/dapp/opla/preoqnotice/officeflyer.pdf>.

As the non-compliant amendment is reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bona fide attempt to be a reply (37 CFR § 1.135(c)), applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this notice within which to re-submit the corrected section which complies with 37

CFR § 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen L. Rawlings, Ph.D. whose telephone number is (703) 305-3008. The examiner can normally be reached on Monday-Friday, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony C. Caputa, Ph.D. can be reached on (703) 308-3995. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stephen L. Rawlings, Ph.D.
Examiner
Art Unit 1642

slr
March 5, 2004



YVONNE EYLER, PH.D
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600